

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

LIFEWISE, INC.

Plaintiff,

v.

ZACHARY PARRISH

Defendant.

Case No.: 1:24-cv-00268-HAB-SLC

Chief Judge Holly A. Brady

Magistrate Judge Susan L. Collins

**DECLARATION OF MITCHELL L. STOLTZ IN SUPPORT OF DEFENDANT'S  
OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

I, Mitchell L. Stoltz, declare as follows:

1. I am an attorney at the non-profit organization Electronic Frontier Foundation, counsel for Zachary Parrish in this action. I was admitted *pro hac vice* in this matter on September 6, 2024. I have personal knowledge of the matters stated herein and could testify to them if called upon to do so. I make the following declaration in support of Defendant Zachary Parrish's Opposition to Plaintiff's Motion for Summary Judgment.

2. Attached as **Exhibit A** is a true and correct copy of <https://lifewise.tfaforms.net/4972189>, a page of the LifeWise website titled "Curriculum Review Request,"<sup>1</sup> archived by the Internet Archive's Wayback Machine on August 3, 2024. The archived copy of this page is publicly available at

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<sup>1</sup> This is the webpage that LifeWise refers to as the "LifeWise Curriculum review webpage" in its Brief in Support of Motion for Summary Judgment, ECF No. 25, at 10, 10 n.2 ("LifeWise Br.").

<https://web.archive.org/web/20240803024849/https://lifewise.tfaforms.net/4972189> (last accessed Oct. 14, 2024).

3. Attached as **Exhibit B** is a true and correct copy of a LifeWise press release dated January 29, 2024. This press release is publicly available on the LifeWise website at <https://lifewise.org/blog/indiana-house-education-committee-unanimously-approves-changing-statute-from-may-to-shall-hb1137/> (last accessed October 14, 2024).

4. Attached as **Exhibit C** is a true and correct copy of <https://parentsagainstlifewise.online/>, the home page of the Parents Against Lifewise website, archived by the Internet Archive's Wayback Machine on June 10, 2024. The archived copy of the page is publicly available at <https://web.archive.org/web/20240610154335/https://parentsagainstlifewise.online/> (last accessed October 14, 2024). This document was also attached as Exhibit A to Defendant's Request for Judicial Notice, ECF No. 14, 14-1.

5. Attached as **Exhibit D** is a true and correct copy of <https://parentsagainstlifewise.online/about/>, a page of the Parents Against Lifewise website titled "About," archived by the Internet Archive's Wayback Machine on June 10, 2024. The archived copy of the page is publicly available at <https://web.archive.org/web/20240610154353/https://parentsagainstlifewise.online/about/> (last accessed October 14, 2024). This document was also attached as Exhibit B to Defendant's Request for Judicial Notice, ECF No. 14, 14-2.

6. Attached as **Exhibit E** is a true and correct copy of <https://parentsagainstlifewise.online/core-beliefs/>, a page of the Parents Against Lifewise website titled "Core Beliefs & Conversion Mission," archived by the Internet Archive's Wayback

Machine on June 10, 2024. The archived copy of the page is publicly available at

<https://web.archive.org/web/20240610154404/https://parentsagainstlifewise.online/core-beliefs/>

(last accessed October 14, 2024).

7. Attached as **Exhibit F** is a true and correct copy of

<https://parentsagainstlifewise.online/peer-pressure/>, a page of the Parents Against Lifewise website titled “Peer Pressure & Incentivizing Participation,” archived by the Internet Archive’s Wayback Machine on June 10, 2024. This archived copy of the page is publicly available at <https://web.archive.org/web/20240610175450/https://parentsagainstlifewise.online/peer-pressure/> (last accessed October 14, 2024).

8. Attached as **Exhibit G** is a true and correct copy of

<https://parentsagainstlifewise.online/liability/>, a page of the Parents Against Lifewise website titled “Admin Pressure, School Liability & Violations,” archived by the Internet Archive’s Wayback Machine on June 10, 2024. The archived copy of the page is publicly available at <https://web.archive.org/web/20240610175355/https://parentsagainstlifewise.online/liability/> (last accessed on October 14, 2024).

9. Attached as **Exhibit H** is a true and correct copy of

<https://parentsagainstlifewise.online/problematic-policies/>, a page of the Parents Against Lifewise website titled “Problematic Policies,” archived by the Internet Archive’s Wayback Machine on June 10, 2024. The archived copy of the page is publicly available at <https://web.archive.org/web/20240610175436/https://parentsagainstlifewise.online/problematic-policies/> (last accessed on October 14, 2024).

10. Attached as **Exhibit I** is a true and correct copy of

<https://parentsagainstlifewise.online/discrimination/>, a page of the Parents Against Lifewise

website titled “Discrimination & Ostracizing,” archived by the Internet Archive’s Wayback Machine on June 10, 2024. The archived copy of the page is publicly available at <https://web.archive.org/web/20240610154420/http://parentsagainstlifewise.online/discrimination/> (last accessed October 14, 2024).

11. Attached as **Exhibit J** is a true and correct copy of <https://lifewise.org/curriculum/>, the “Inside the LifeWise Curriculum” page within the “About” section of the LifeWise website, archived by the Internet Archive’s Wayback Machine on July 8, 2024. The July 8, 2024 archived copy of the page is publicly available at <https://web.archive.org/web/20240708235647/https://lifewise.org/curriculum/> (last accessed October 15, 2024). This document was also attached as Exhibit 1 to Defendant’s Second Request for Judicial Notice in Support of Motion to Dismiss Complaint, ECF No. 29, 29-1.

12. Attached as **Exhibit K** is a true and correct copy of <https://lifewise.org/curriculum/>, the “Inside the LifeWise Curriculum” page within the “About” section of the LifeWise website, archived by the Internet Archive’s Wayback Machine on July 30, 2024. The July 30, 2024 archived copy of the page is publicly available at <https://web.archive.org/web/20240730103032/https://lifewise.org/curriculum/> (last accessed October 15, 2024). This document was also attached as Exhibit 2 to Defendant’s Second Request for Judicial Notice in Support of Motion to Dismiss Complaint, ECF No. 29, 29-2.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 15<sup>th</sup> day of October, 2024 in San Francisco California.

s/ Mitchell L. Stoltz \_\_\_\_\_  
Mitchell L. Stoltz (*admitted pro hac vice*)

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 15th of October 2024, I caused the foregoing to be filed electronically with the Clerk of the Court using the CM/ECF system, which shall provide notification by email of such filing to all counsel of record.

s/ Mitchell L. Stoltz

Mitchell L. Stoltz